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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

July 7, 1997

**VIA HAND DELIVERY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
191 M. Street, N.W. Room 222  
Washington, DC 20554

RE: MM Docket Nos. 91-221, 87-4, 94-150, 92-51 and 87-154  
Response to FCC Request for Information Regarding TV LMAs  
Charlotte, North Carolina Market

Dear Mr. Caton:

On behalf of WJZY-TV, Inc., licensee of Station WJZY-TV, Channel 46, Charlotte, North Carolina, attached is WJZY-TV's Response to the Commission's June 17, 1997 Public Notice (DA 97-1246) requesting information on TV LMAs. WJZY-TV is a party to a Time Brokerage Agreement with TV55, LLC, licensee of Station WFVT (TV), Channel 55, Charlotte, North Carolina.

If you have any questions, please contact our counsel, Paul Feldman at 703-812-0403.

Sincerely,



Fred Barber  
Vice President  
WJZY-TV, Inc.

FB:db

cc: Mr. Wharton Winstead  
Paul Feldman, Esq.  
Marvin Rosenberg, Esq.

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**LMA DATA RE:  
WFVT(TV), Rock Hill, South Carolina  
and WJZY(TV), Belmont, North Carolina**

	<u>Brokered Station</u>	<u>Brokering Station</u>
1. Licensee:	<b>TV 55, L.L.C.</b>	<b>WJZY-TV, Inc., a subsidiary of Capitol Broadcasting Company, Inc.</b>
Call Letters:	<b>WFVT(TV)</b>	<b>WJZY(TV)</b>
Channel:	<b>55</b>	<b>46</b>
Community of License:	<b>Rock Hill, SC</b>	<b>Belmont, NC</b>
2. DMA:	<b>Charlotte, NC</b>	<b>Charlotte, NC</b>
Rank:	<b>28</b>	<b>28</b>

3. Degree of Signal Contour Overlap:

Based on a review of the WFVT and WJZY coverage maps by WJZY's Chief Engineer, it has been determined that the City Grade, Grade A, and Grade B contours of the two stations are almost identical.

4. Date on Which Parties Entered Into Agreement:

Capitol Broadcasting entered into a Local Marketing Agreement on June 6, 1994 with the then-permittee of Channel 55, Family Fifty-Five, Inc. WFVT was subsequently constructed and commenced operation on October 21, 1994. On July 22, 1996, Family Fifty-Five assigned the WFVT license and its rights and obligations under the LMA to TV 55 L.L.C.

5. Term of Agreement:

The Agreement commenced on June 6, 1994, and continues through October 20, 1999 (five years after commencement of WFVT program test authority), with a renewal at Capitol's discretion for an additional five year period. The Agreement inter alia automatically terminates if WFVT is sold to Capitol.

6. Percentage of Brokered Hours:

98.8 percent of WFVT's weekly broadcast hours are brokered to WJZY.

7. Network Affiliation:

The Brokered Station (WFVT) is an affiliate of the WB Network. The Brokering Station (WJZY) is an affiliate of the UPN Network.

8. Nielsen Audience Share  
Mon. - Sun., 9 a.m. - Midnight:

	<u>Brokered Station (WFVT)</u>	<u>Brokering Station (WJZY)</u>
May 97:	3	6
Feb. 97:	4	6
Nov. 96:	3	6

9. Other Information:

In early 1994, Capitol Broadcasting Company, Inc., the parent of WJZY-TV, Inc. (the licensee of Station WJZY), learned that Family Fifty-Five, Inc., permittee of WFVT, Channel 55 in Rock Hill, South Carolina, was interested in entering into an LMA with a station in the Charlotte, North Carolina, market. Family Fifty-Five had held the construction permit for several years, but had concluded that in order to construct and operate their station in the best manner, they would need to enter into an LMA. After contacts with two other broadcasters, Family Fifty-Five entered into negotiations with WJZY-TV, Inc. The LMA between WJZY-TV, Inc. and Family Fifty Five provides that the new Station's antenna would be mounted on WJZY's tower, that the new Station's transmitter would be co-located with the WJZY transmitter, and that space at the WJZY studio would be provided for use as a main studio for WFVT, as well as for use as office space by WFVT's management and employees. The Commission's staff reviewed the LMA when WFVT was assigned in 1996 to its current owner, TV 55, LLC.

Capitol Broadcasting believes that its participation in the Channel 55 LMA has benefited the public interest. Although the operation of WFVT has yet to show a profit, use of the WJZY studios and office space, and co-location of the transmitters and towers, has provided economies of scale that make the operation of WFVT affordable. As a result, WFVT provides Warner Brothers ("WB") Network programming to viewers in Rock Hill and throughout the Charlotte market. Similarly, WFVT produces (in Rock Hill) and airs a weekly local public affairs program and PSAs that specifically address the needs and interests of the residents of Rock Hill, which has no other commercial television station. WFVT also broadcasts core childrens programming, and Charlotte Hornets Basketball, that would not otherwise be viewed in the market.